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Environment & Natural Resources Division

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Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH
CENTRAL DIVISION, SOUTHERN REGION**

BLUERIBBON COALITION, INC., et al.,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT,
et al.,

Defendants,

and

SOUTHERN UTAH WILDERNESS
ALLIANCE,

Intervenor-Defendant.

Case No. 4:25-cv-00022-DN

**DEFENDANTS' STATEMENT OF
POSITION DENYING ARBITRARY
AND CAPRICIOUS AGENCY ACTION**

District Judge David Nuffer

In accordance with DUCivR 7-4(b)(2)(B), Defendants United States Bureau of Land Management ("BLM"), et al., hereby respond to Plaintiffs' Complaint, ECF No. 1. Therein, Plaintiffs challenge BLM's December 2024 decision adopting the San Rafael Swell

Travel Management Plan. Defendants deny that the aforementioned decision is arbitrary and capricious, not supported by substantial evidence, or otherwise contrary to law. Defendants deny that Plaintiffs have stated a claim for relief or that Plaintiffs are entitled to any relief whatsoever.

Defendants present the following affirmative defenses:

1. Plaintiffs fail to state a claim upon which relief may be granted.
2. Plaintiffs lack standing to bring some or all of their claims.
3. Plaintiffs have failed to properly establish subject matter jurisdiction.
4. Plaintiffs have failed to demonstrate that some or all of their claims are ripe for judicial review.

Respectfully submitted this 19th day of May 2025.

ADAM R.F. GUSTAFSON
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/s/ Paul A. Turcke
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